Attachment C

ADDENDUM TO

FINAL
INITIAL STUDY/ NEGATIVE DECLARATION

FOR

REGIONAL GENERAL PERMIT 41 FOR REMOVAL OF INVASIVE, EXOTIC PLANTS (RGP 41)

January 7, 2009

Lead Agency:

State of California
State Water Resources Control Board
Division of Water Quality
Section 401 and Wetlands Unit
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Attachment C

ADDENDUM
INITIAL STUDY/NEGATIVE DECLARATION

PROJECT: Regional General Permit 41 (RGP 41) for Removal of Invasive, Exotic Plants within the Los Angeles (LA) District of the U.S. Army Corps of Engineers (Corps) (PERMIT NO. 200301094-JMB)

LEAD AGENCY: State Water Resources Control Board (State Water Board)

INTRODUCTION AND REGULATORY GUIDANCE

An Addendum to the Final Negative Declaration (ND) for RGP 41 for Removal of Invasive, Exotic Plants has been prepared by the State Water Board. It will identify minor technical changes and additions to the previously adopted ND for this project and disclose changes in project conditions that do not require the preparation of a subsequent ND (as described in California Code Regulations (CCR) §15162), in accordance with CCR §15164(b) . This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 *et seq.*, and the State CEQA Guidelines, CCR §15000 *et seq.*

This Addendum to the ND does not need to be re-circulated, per CCR §15164(c), but will be included as part of the ND, which will be available, by request.

LEAD AGENCY

The lead agency is the public agency with primary approval authority over the proposed project. In accordance with CEQA Guidelines §15051(b)(1), "the lead agency will normally be an agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The lead agency for the proposed project is the State Water Board.

SUMMARY OF FINDINGS

Based on this Initial Study and environmental review and analysis contained in the Final ND for this project, it was determined that the proposed project would not have any significant impacts on the environment. This conclusion is supported by the findings indicated below.

- There was no potential for adverse impacts on land use and planning, energy and mineral resources, population and housing, public services, utilities and service systems, and cultural resources associated with the proposed project.

- Potential adverse impacts resulting from the proposed project were found to be less than significant in the following areas: geologic problems, air quality, water,

biological resources, noise, hazards, transportation and circulation, aesthetics, and recreation.

AVAILABILITY OF DOCUMENTS:
The Initial Study and Draft ND were made available throughout the 30-day public review period on the State Water Board's web site from August 29, 2003 to September 28, 2003. In addition, 44 copies of the Draft ND were mailed on August 29, 2003, as requested by stakeholders. The Notice of Determination for this project was filed on October 30, 2003 (SCH#2003081158). This Addendum will be appended to the Final ND and will be available by request, along with all supporting materials, at the State Water Board's Sacramento Office.

PROJECT DESCRIPTION:
RGP 41 will authorize an unknown number of projects which involve the mechanized or chemical removal of specified invasive, exotic plants from waters, including wetlands and riparian areas, within the Corps Los Angeles (LA) District (Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Inyo, San Bernardino, Riverside, and Imperial Counties, and portions of San Luis Obispo, Kern, and Mono Counties). RGP 41 is issued for five years. Permitted activities under RGP 41 include: application of U.S. Environmental Protection Agency and Department of Pesticide Regulation-approved herbicides; mechanized land clearing and removal of living or dead plants; stockpiling of extracted plant materials and debris; and construction of access roads. Activities are limited by season, manner of application, stand condition, and other factors to limit adverse impacts to the environment.

Corrections and additions included in this Addendum will not result in substantial changes to the circumstances under which the project will be undertaken, new significant environmental effects, or a substantial increase in the severity of previously identified significant effects, as identified in CCR §15162, *et seq.*

The following corrections, additions, and deletions will supplement and, where contradictory, supersede the applicable portions of the adopted Final ND for this project. Additions and corrections are underlined; strikeout indicates a deletion.

The following wording was added to the introduction (ND, page 2), in order to update RGP 41's current timeline.

4. <u>The Corps LA District on July 14, 2008 again circulated a Special Public Notice to request comments on a proposal to reissue RGP 41 with the addition of some species in the general permit's list of invasive, exotic plant species. RGP 41 was re-issued on December 10, 2008 and will be in effect for five years (Attachment A - RGP 41). Except for the addition of some species, it is the same as the previous general permit.</u>

In the Project Description (ND, pages 3 & 4), the following wording was added to include eight new plant species that will be permitted for mechanical/spray removal under RGP 41:

The additional proposed plant material for the 2008 re-issuance is as followed:

35. Brazilian pepper – Shinus terebinthifolius
36. Fennel – Foeniculum vulgare
37. Water hyacinth – Eichornia crassipes
38. Spanish sunflower – Pulicaria paludosa
39. Kikuyu grass – Pennisetum clandestinum
40. Andean pampas grass – Cortedaria jubata
41. Himilayan blackberry – Rubus discolor
42. Spanish broom – Spartium junceum

The Office of Planning and Research (OPR) has offered informal interim guidance regarding the steps lead agencies should take to address climate change in their CEQA documents.[1] This guidance was developed in cooperation with the Resources Agency, the California Environmental Protection Agency (Cal/EPA), and the California Air Resources Board (ARB). The following wording was added to the Air Quality Section (ND, pages 8 & 9) in order to be consistent with this guidance:

Greenhouse Gases (GHG) are gases that trap heat in the atmosphere. Some GHGs occur naturally, such as carbon dioxide while others such as fluorinated gases are created and emitted solely through human activities. The GHGs emissions from human activities are carbon dioxide, methane, nitrous oxide, and fluorinated gases.

According to the Intergovernmental Panel on Climate Change (IPCC), GHG concentrations in the atmosphere will increase during the next century unless reductions in GHG levels are made substantially from present levels. Increased GHG concentrations are predicted to raise the Earth's average temperature, influence precipitation, and some storm patterns as well as raise sea levels, although the magnitude of these changes is unknown. GHGs emitted from human activities have remained in the atmosphere for periods ranging from decades to centuries (IPCC 2007).

In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006, enacting sections 38500-385999 of the Health and Safety Code). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012. To effectively implement the cap, AB 32 directs the California Air Resources Board (ARB) to develop and implement regulations to reduce

[1] OPR interim guidance

statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 (which regulates GHG emissions from vehicles, but is currently the subject of litigation) should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then ARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

Senate Bill 97, signed in August 2007 (Chapter 185, Statutes of 2007, enacting Sections 21083.05 and 21097 of the Public Resources Code), acknowledges that climate change is a prominent environment issue that requires analysis under California Environmental Quality Act. This bill directs the OPR to prepare, develop, and transmit guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions to the California Resources Agency, as required by July 1, 2009. The California Resources Agency is required to certify and adopt these guidelines by January 1, 2010.

Previously adopted State regulations include AB 1493 (Chapter 200, Statutes of 2002 (amending section 42823 of the Health and Safety Code and adding section 43018.5 of the Health and Safety Code), which requires that ARB develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty trucks and other vehicles determined by ARB to be vehicles whose primary use is noncommercial personal transportation in the state." In 2005, Executive Order S-3-05 was signed by Governor Schwarzenegger; this Executive Order stated that GHG emissions are to be reduced to the 2000 level by 2010, the 1990 level by 2020, and to 80 percent below the 1990 level by 2050. Executive Order S-3-05 directed the Secretary of the California Environmental Protection Agency to coordinate a multiagency effort to reduce GHG emissions to the target levels.

This Addendum, along with the previously adopted Final ND (SCH#2003081158), will now constitute the Final ND for the RGP 41 Project.

Pursuant to section 21082.1 of CEQA, the State Water Board has independently reviewed and analyzed the information contained in the Addendum to the Final ND for the proposed project and has found that this document reflects the independent judgment of the State Water Board.

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Section 401 and Wetlands Unit
Division of Water Quality
State Water Resources Control Board

1/16/09
Date

Bill Orme, Chief
Senior Environmental Scientist
Section 401 and Wetlands Unit
Division of Water Quality
State Water Resources Control Board

1/16/09
Date

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER QUALITY
Water Quality Certification Unit
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INITIAL STUDY/NEGATIVE DECLARATION

(with 2008 Addendum Incorporated)

I. Background

Project Title:	State Water Quality Certification (WQC) for the Proposed Re-issuance of Regional General Permit (RGP 41), "Removal of Invasive, Exotic Plants from Waters of the U.S., Including Wetlands, within the Portions of California in the Los Angeles District Corps"
Federal Permit Number:	200301094-JMB
Applicant:	Mr. David Castanon, Chief Regulatory Branch Los Angeles District U.S. Army Corps of Engineers 911 Wilshire Boulevard Los Angeles, CA 90053-2325
Contact Person:	Darren Bradford, Environmental Scientist Water Quality Certification Unit Division of Water Quality State Water Resources Control Board 1001 "I" Street, 15th Floor Sacramento, CA 95814 Phone: (916) 341-5558 email: dbradford@waterboards.ca.gov
General Plan Designation:	NA
Zoning:	NA

Introduction

1. On August 15, 1996, the U.S. Army Corps of Engineers (Corps) Los Angeles (LA) District first issued RGP 41 (pursuant to section 404 of the Clean Water Act [CWA]) for a trial period of two years. Pursuant to CWA section 401, the State Water Resources Control Board (State Water Board) certified on November 8, 1996 that possible discharges resulting from

activities permitted under RGP 41 during its two-year lifespan would comply with federal and State water quality standards.

2. In another Special Public Notice (PN) of June 12, 1998, the Corps LA District proposed the re-issuance of RGP 41 for an additional period of five years. The State Water Board on August 13, 1998 conditionally certified the general permit, and it expired on August 14, 2003. The Corps LA District on June 11, 2003 again circulated a Special PN to request comments on a proposal to reissue RGP 41 with the addition of some species in the general permit's list of invasive, exotic plant species. As currently drafted, the general permit (Appendix A – August 2003 proposed RGP submitted by the Corps LA District to the State Water Board), except for the addition of some species, is the same as the previous general permit. The effective date of the re-issuance of RGP 41 was October 24, 2003.

3. On December 8, 2003, the Corps LA District requested that the State Water Board's October 24, 2003 certification of the RGP 41 be amended to include four more invasive, exotic plant species for removal, namely: edible fig (Ficus carica), blue crowned passion flower (Passiflora caerulea), pecan (Carya illinoensis), and olive (Olea europea). The California Department of Fish and Game requested the Corps LA District to include these four species in the list of invasive, exotic plants in the re-issuance of the RGP 41, but the Corps mistakenly did not include them in the August 2003 draft RGP 41. On December 10, 2003, the Corps LA District re-issued RGP 41 and included these four species in the general permit's list of invasive, exotic plants for removal.

4. The Corps LA District on July 14, 2008 again circulated a Special PN to request comments on a proposal to reissue RGP 41 with the addition of some species in the general permit's list of invasive, exotic plant species. RGP 41 was re-issued on December 10, 2008 and will be in effect for five years (Attachment A - RGP 41). Except for the addition of some species, it is the same as the previous general permit.

5. This initial study document is intended to satisfy, in part, requirements of the California Environmental Quality Act (CEQA) with regard to public notification and review of project plans. In this case, the exact number and type of projects proposed cannot be determined. A Corps general permit allows any number of projects which meet permit conditions and guidelines to proceed during the term of the permit.

6. RGP 41 authorizes the mechanized or chemical removal of selected invasive, exotic plants from waters of the United States in the Corps LA District covering 12 southern-most California counties (see Figure 1, Page 25). Pursuant to the National Environmental Protection Act (NEPA), the Corps has made a preliminary determination that an Environmental Impact Study is not required prior to re-issuing RGP 41. The issuance of WQC for the Corps LA District proposed re-issuance of RGP 41 would mean that the State has determined that any discharge which may result due to activities allowed under the RGP 41 will comply with the applicable provisions of CWA sections 301, 302, 303, 306, and 307 (33 U.S. Code §§ 1311, 1312, 1313, 1316, 1317).

7. The State Water Board's Division of Water Quality staff prepared this report by updating the previous Initial Study prepared in 1998 and 2003, Corps documentation, and other information related to water quality and environmental resources likely to be affected by actions allowed under the proposed re-issuance of RGP 41.

Project Description

The proposed Corps LA District RGP 41 will authorize the mechanized or chemical removal of the following invasive, exotic plants from waters of the United States including wetlands within selected portions of southern California:

1. giant reed - *Arundo donax*
2. salt cedar - *Tamarix* spp.
3. castor bean - *Ricinus communis*
4. Russian thistle - *Salsola tragus*
5. tree tobacco - *Nicotiana glauca*
6. Italian thistle – *Carduus pycnocephalus*
7. Milk thistle – *Silybum marianum*
8. Tocalote – *Centaurea melitensis*
9. star thistle - *Centaurea solstitialis*
10. Bristly Ox-Tongue – *Picris echioides*
11. artichoke thistle - *Cynara cardunculus*
12. thistle - *Cirsium arvense and vulgare only*
13. pampas grass - *Cortaderia selloana*
14. fountain grass - *Pennisetum setaceum*
15. cape ivy - *Delaireia odorata* (formerly called German Ivy, *Senecio ikanioides*)
16. alligator weed - *Alternanthera philoxeroides*
17. perennial pepperweed - *Lepidium latifolium*
18. white top, hoary cress - *Cardaria draba*
19. Russian olive - *Elaeagnus angustifolia*
20. myoporum - *Myoporum laetum*
21. eucalyptus – *Eucalyptus spp.*
22. evergreen ash – *Fraxinus udhei*
23. bottle brush – *Callistemon citrinus*
24. California (Peruvian) pepper – *Schinus molle*
25. carrotwood – *Cupaniopsis anacardiodes*
26. Chinese elm – *Ulmus parvifolia*
27. oleander – *Nerium oleander*
28. Mexican fan palm – *Washingtonia robusta*
29. Canary Island date palm – *Phoenix canariensis*
30. Geraldton carnation weed – *Euphorbia terracina*
31. Edible fig – *Ficus carica*
32. blue crown passion flower – *Passiflora caerulea*
33. pecan – *Carya illinoencsis*
34. *olive – Olea europea*

Additional proposed plant material for the 2008 re-issuance is as followed:

35. Brazilian pepper – Shinus terebinthifolius
36. Fennel – Foeniculum vulgare
37. Water hyacinth – Eichornia crassipes
38. Spanish sunflower – Pulicaria paludosa
39. Kikuyu grass – Pennisetum clandestinum
40. Andean pampas grass – Cortedaria jubata
41. Himilayan blackberry – Rubus discolor
42. Spanish broom – Spartium junceum

The most troublesome species on this list is currently giant reed--commonly referred to by its generic name, *Arundo*--but the other species may be locally problematic. Due to the nature of these plants, areas to be impacted will most often be in "riparian" zones along rivers, streams, lakes, reservoirs, and various flood control channels.

Counties potentially affected by permitted activities include all of Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Inyo, San Bernardino, Riverside, and Imperial Counties, and portions of San Luis Obispo, Kern, and Mono Counties (see Figure 1, page 25).

Potential project sites have "fully infested stands" if stands of vegetation contain 80 percent or more relative/canopy cover of targeted exotic plant species. Areas with between 50 percent and 80 percent relative/canopy cover of these exotic species have "partially infested stands." RGP 41 will not apply in areas that contain less than 50 percent relative/canopy cover of target species. A parcel is a "stand" if it is at least 0.5 acre in size or completely isolated from contiguous native riparian habitat. Following flood, fire, disease, or other natural event which scours or destroys an area, the area will be classified based on the areal coverage of exotic plants immediately prior to the natural disturbance.

The following activities being considered for WQC are authorized by RGP 41 on a year-round basis in "fully infested stands:"

1. Broadcast foliar application of herbicides, which are approved by the U.S. Environmental Protection Agency (USEPA) for use in wetlands. Application of herbicides in any area supporting threatened and/or endangered species should be consistent with the USEPA's Office of Pesticide Programs, Endangered Species Protection Program county bulletins. To reduce potential impacts to migratory birds using parcels adjacent to "fully infested stands," no aircraft-based application (e.g., by helicopter) may occur between March 15 and September 15.

2. Mechanized land-clearing; mechanical mulching (i.e., via Hydro-Ax); and mechanized removal, chipping, and excavation of living or dead invasive plants and any associated debris. Native riparian vegetation will be avoided to the maximum extent practicable. Any native riparian trees three (3) inches in diameter (at breast height) or larger removed from fully infested stands will be replaced on-site at a two-to-one (2:1) ratio.

3. Stockpiling of invasive plants and associated debris which have been excavated will be prohibited except during the flood season (November 15- April 15). Stockpiles must be placed in previously disturbed or degraded areas, cannot be placed within 50 feet of flowing water and must be disposed of within 30 days by either removal to an appropriate upland disposal area or by burning. Prior to upland disposal or burning of any stockpiles or debris, all appropriate State and local permits must be obtained. To reduce potential impacts to migratory birds using parcels adjacent to "fully infested stands," no burning of stockpiles in waters of the United States will be allowed to occur between March 15 and September 15.

4. Construction of access roads to the plant removal site, provided that the width and length of roads are the minimum necessary for access. Native woody riparian vegetation in the access road alignment must be flagged and avoided. Placement of fill, such as decomposed granite, gravel, or concrete, on newly constructed or existing access roads within waters of the United States is not authorized under RGP 41. All appropriate Best Management Practices must be used to preclude increased turbidity and to ensure that road construction does not restrict or impede the passage of normal or expected high flows or cause the relocation of the water. Access roads which are no longer necessary for site monitoring, restoration, maintenance, or treatment or abandoned access roads must be restored with appropriate native riparian or wetland vegetation.

The following activities being considered for WQC are authorized by the Federal RGP 41 on a seasonal basis, between September 16 and March 14, in "partially infested stands:"

1. Plant specific application of herbicides which are currently approved by the USEPA for use in wetlands. Application of herbicides in any area supporting threatened and/or endangered species should be consistent with the USEPA's Office of Pesticide Programs, Endangered Species Protection Program county bulletins. Plant specific techniques may consist of application via a backpack sprayer and/or the cut/paint technique (cutting of the plant, followed by immediate direct application of herbicide to the freshly cut stump). No herbicide could be applied to native riparian vegetation.

2. Mechanized land-clearing; mechanical mulching (i.e., via Hydro-Ax); and mechanized removal, chipping, and excavation of living or dead invasive plants and any associated debris. Native riparian vegetation must be flagged prior to commencement of any mechanized activities and must be avoided.

3. Construction of access roads to the plant removal site provided that the width and length of roads are the minimum necessary for access. Native woody riparian vegetation must be flagged and avoided. Placement of fill, such as decomposed granite, gravel, or concrete, on newly constructed or existing access roads within waters of the United States is not authorized under this RGP 41. Access roads which are no longer necessary for site monitoring, restoration, maintenance, or treatment or abandoned access roads must be restored with appropriate native riparian or wetland vegetation.

Broadcast foliar application of herbicides and stockpiling are prohibited in "partially infested stands." Hand clearing (including use of chain saws) is generally not subject to Corps jurisdiction under section 404. However, if hand clearing occurs in "partially infested stands," RGP 41 recommends that native riparian vegetation be flagged and avoided.

Invasive plant removal from "partially infested stands" during the migratory bird breeding season (March 15 - September 15) may be authorized by the Corps under RGP 41 on a case-by-case basis. Prior to requesting such authorization, the proposed project area must be surveyed by a qualified biologist in accordance with all appropriate U.S. Fish and Wildlife Service protocols. Results of these surveys must be submitted to the Corps as part of the notification requirement.

Prior to use of RGP 41, a prospective permit applicant must notify the Corps in accordance with General Conditions 3 and 18 (August 23, 2008 proposed general permit [Appendix A]). A copy of the notification package will be sent to the U.S. Fish and Wildlife Service, National Marine Fisheries Service (if appropriate), California Coastal Commission (for projects which may affect the coastal zone), and the State Water Board and appropriate Regional Water Quality Control Board (Regional Water Board).

Work under RGP 41 being considered for WQC may not commence until verification of compliance with the RGP 41 is received from the Corps or 30 days have passed since the Corps receives a complete notification package. The Corps maintains discretion to add special conditions to RGP 41 verifications to clarify compliance with the terms and conditions of the RGP 41 or to ensure that the proposed project will have only minimal individual and cumulative adverse impacts to the environment. In cases where the proposed project does not comply with the terms and conditions of the RGP 41 or the Corps determines that the proposed project will be contrary to the public interest or will result in greater than minimal individual or cumulative adverse impacts to the environment, the applicant will be notified by the Corps within 30 days of receipt of a complete notification.

Environmental Setting

Permitted activities to be considered for WQC may occur in or next to any or all water bodies in the Corps LA District (see Figure) which meet requirements and conditions in the RGP 41. Areas of particular likelihood for permitted activities include portions of the Santa Ana and San Gabriel Rivers, as well as watersheds and flood control channels in the coastal zone and which are severely infested with *Arundo* or other approved invasive species.

Responsible and Trustee Agencies

- Regional Water Boards--Water Quality Regions 4, 6, 7, 8, and 9 (see Figure)
- National Pollution Discharge Elimination System and Waste Discharge Requirements General Orders (permit) (possibly);
- Water Quality Certification (advisory to State Water Board)

- California Coastal Commission
  - Consistency Determination--Certification of Consistency with Coastal Zone Management Act
  - Coastal Development Permits (possibly)
- California Department of Fish and Game
  - Streambed Alteration Agreement(s) (possibly)
- Air Resources Board
  - Regulates aerial spraying (possibly)

II. Environmental Impacts

Environmental Factors Potentially Affected

The environmental factors checked in the table below could be potentially affected by this project. See the following checklist for a more detailed discussion.

☐ Land Use and Planning	☑ Transportation/Circulation	☐ Public Services
☐ Population and Housing	☑ Biological Resources	☐ Utilities and Service Systems
☑ Geological Problems	☐ Energy and Mineral Resources	☑ Aesthetics
☑ Water	☑ Hazards	☐ Cultural Resources
☑ Air Quality	☑ Noise	☑ Recreation
	☑ Mandatory Findings of Significance	

Environmental Checklist

ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. **Geologic Problems.** Would the proposal result in or expose people to potential impacts involving:				
a. Fault rupture?	☐	☐	☐	☑
b. Seismic ground shaking?	☐	☐	☐	☑
c. Seismic ground failure, including liquefaction?	☐	☐	☐	☑
d. Seiche, tsunami, or volcanic hazard?	☐	☐	☐	☑
e. Landslides or mudflows?	☐	☐	☐	☑

f. Erosion, changes in topography, or unstable soil conditions from excavation, grading, or fill?	☐	☐	☑	☐
g. Subsidence of the land?	☐	☐	☐	☑
h. Expansive soils?	☐	☐	☐	☑
i. Unique geologic or physical features?	☐	☐	☐	☑

Comments:

Arundo, salt cedar (*Tamarix*), pampas grass (*Cortaderia*), and many other invasive, non-native plants were originally introduced to Southern California for use to control erosion. Therefore, removal of these invasive plants may result in temporary local increases in erosion. However, their removal will reduce the excessive accretion associated with invasive plant monocultures. As native riparian vegetation repopulates the treated areas, erosion and accretion processes should stabilize, and the net impacts associated with temporary increases in erosion will be minimal. In comparison, the no-action alternative of allowing exotic plants to remain may frequently result in small or medium-sized channels being clogged by fast-growing vegetation, causing seasonal flooding and long-term, severe erosion problems.

Grading of access roads may result in some erosion. However, this effect will be minimized by the RGP 41 requirement for use of Best Management Practices to control runoff and erosion and by the requirement to restore access roads when they are no longer necessary. Therefore, the increased erosion associated with access roads will be temporary and minimal.

Environmental Checklist

ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
2. **Air Quality.** Would the proposal:				
a. Violate any air quality standard or contribute to an existing or projected air quality violation?	☐	☐	☑	☐
b. Expose sensitive receptors to pollutants?	☐	☐	☐	☑
c. Alter air movement, moisture or temperature, or cause any change in climate?	☐	☐	☑	☐
d. Create objectionable odors?	☐	☐	☐	☑

Comments:

Greenhouse Gases (GHG) are gases that trap heat in the atmosphere. Some GHGs occur naturally, such as carbon dioxide while others such as fluorinated gases are created and emitted solely through human activities. The GHGs emissions from human activities are carbon dioxide, methane, nitrous oxide, and fluorinated gases

According to the Intergovernmental Panel on Climate Change (IPCC), GHG concentrations in the atmosphere will increase during the next century unless reductions in GHG levels are made substantially from present levels. Increased GHG concentrations are predicted to raise the Earth's average temperature, influence precipitation and some storm patterns as well as raise sea levels though the magnitude of these changes is unknown. GHGs emitted from human activities have remained in the atmosphere for periods ranging from decades to centuries (IPCC 2007).

In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006, enacting Sections 38500-385999 of the Health and Safety Code). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012. To effectively implement the cap, AB 32 directs the California Air Resources Boar (ARB) to develop and implement regulations to reduce statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 (which regulates GHG emissions from vehicles, but is currently the subject of litigation) should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then ARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

Senate Bill 97, signed in August 2007 (Chapter 185, Statutes of 2007, enacting Sections 21083.05 and 21097 of the Public Resources Code), acknowledges that climate change is a prominent environment issue that requires analysis under CEQA. This bill directs the OPR to prepare, develop, and transmit guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions to the California Resources Agency, as required by July 1, 2009. The California Resources Agency is required to certify and adopt these guidelines by January 1, 2010.

Previously adopted state regulations include AB 1493 (Chapter 200, Statutes of 2002 (amending Section 42823 of the Health and Safety Code and adding Section 43018.5 of the Health and Safety Code), which requires that ARB develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty trucks and other vehicles determined by ARB to be vehicles whose primary use is noncommercial personal transportation in the state." In 2005, Executive Oder S-3-05 was signed by Governor Schwarzenegger; this executive order stated that GHG emissions are to be reduced to the 2000 level by 2010, the 1990 level by 2020, and to 80% below the 1990 level by 2050. Executive Order S-3-05 directed the Secretary of the California

Environmental Protection Agency to coordinate a multiagency effort to reduce GHG emissions to the target levels.

The proposed project's contribution to cumulative air quality impacts is not likely to be considerable. Other sources of air emissions, such as transportation, industrial activities, and power generation, are the major contributors to significant cumulative air quality impacts

.

Removal and control of invasive plants may involve burning of biomass and/or debris and/or aerial application of an herbicide. Prior to initiating any burning, the RGP 41 requires that a permittee be responsible for obtaining all necessary permits from the local State Air Quality Management District or other regulatory agency. This will ensure that all air quality standards are complied with. There could be increases in PM_{10} (particulate matter less than 10 microns in size) and NO_x (oxides of nitrogen) associated with operation of heavy equipment; however, the impact of these activities will be temporary, localized, and minimal.

Stands of exotic, invasive plants are often subject to frequent burn intervals and wildfires due to dense accumulation of biomass, debris, and leaf litter. Removal of invasive plants will reduce the risk of wildfires in many areas. A reduction in wildfires will reduce the release of smoke, particulates, and air toxics.

Environmental Checklist

ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
3. **Water.** Would the proposal result in:				
a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	☐	☐	☑	☐
b. Exposure of people or property to water related hazards such as flooding?	☐	☐	☐	☑
c. Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen, or turbidity)?	☐	☐	☑	☐
d. Changes in the amount of surface water in any water body?	☐	☐	☑	☐
e. Changes in currents, or the course or direction of water movements?	☐	☐	☑	☐
f. Change in the quantity of ground waters, either through direct				

additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of ground water recharge capability?	☐	☐	☐	☑
g. Altered direction or rate of flow of ground water?	☐	☐	☑	☐
h. Impacts to ground water quality?	☐	☐	☐	☑
i. Substantial reduction in the amount of ground water otherwise available for public water supplies?	☐	☐	☐	☑

Comments:

If all projects permitted under RGP 41 adhere to the general permit's General Conditions, impacts to water quality from activities to be certified will be temporary and minor. In most cases, such anticipated impacts are greatly overshadowed by the long term impacts to beneficial uses of water occurring now due to unchecked infestation by exotic vegetation.

The targeted plants grow profusely and often result in dense monotypic stands which trap sediment and debris. These stands can substantially decrease the capacity of rivers, channels, and basins to perform flood control functions, which may result in flooding of adjacent areas. Native riparian and wetland communities are typically patchy, do not grow as densely as the targeted plants, and do not result in as much sediment accumulation. Therefore, replacement of invasive plants with native flora will result in increased flood control functions and decreased risk of flooding. To minimize risk of debris from clearing activities washing downstream, stockpiling of debris is prohibited by the RGP 41 during the flood season.

Removal of targeted plants will result in temporary increases in receiving water turbidity. In addition, grading of access roads may result in increased runoff and turbidity. Any turbidity increase will be a short-lived, local condition and will not contribute measurably to suspended sediment levels in the water body being treated. Effects will be minimized by the requirement for use of Best Management Practices to control runoff and erosion and by the requirement to restore access roads when they are no longer necessary. Because many invasive species such as *Arundo* and *Tamarix* lead to excessive sediment accumulation, replacement of exotic plants with native flora will result in sediment scouring and deposition cycles which are more natural and beneficial for flood control and biological functions of water bodies.

The targeted plants grow profusely and often result in dense monotypic stands. These stands can substantially decrease the conveyance and drainage patterns of rivers, lakes, estuaries, and other water bodies. In some cases, dense stands of invasive plants can result in alteration of the location and pattern of drainages. Replacement of invasive plants with native flora will reduce these changes and facilitate a return to natural drainage conditions. Because stockpiling is not allowed in waters of the United States during the flood season, the removal activities should result in minimal impacts to circulation and drainage patterns.

Native riparian vegetation normally provides canopy coverage which decreases water temperature and associated algal and bacterial growth. Infestations of targeted vegetation reduce or remove these beneficial conditions. In addition, many native wetland plant species are associated with natural microbial processes in the root zone which improve water quality (e.g., denitrification, conversion of organic compounds to inert substances). The targeted species provide substantially less shading and biofiltration; therefore, action to replace invasive plants with native flora will result in improved water quality.

Invasive plant communities typically consume several times the water as native plant communities. This is partially due to the phreatophytic nature of some invasive plants (i.e., deep taproots which allow the plants to subsist on ground water for longer portions of the year). In addition, invasive plants grow in much higher densities than native plant communities; therefore, the evapotranspiration rate per acre is much higher. Replacing targeted species with native flora will decrease ground water use and benefit local aquifers by increasing aquifer recharge and baseflow discharge.

Invasive plants such as *Arundo* and *Tamarix* have been observed to decrease ground water discharge and baseflow because of their phreatophytic nature and monotypic growth patterns. Removal of invasive plants will result in increased baseflow in some areas and no effect to baseflow in other areas. Increases in baseflow will be conducive to re-colonization of areas by native flora and will result in improvement to water quality.

Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
ISSUES				
4. **Biological Resources.** Would the proposal result in impacts to:				
a. The diversity of species, or numbers of any species of plants (including trees, shrubs, grass, crops, and aquatic plants) or animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	☐	☐	☑	☐
b. Endangered, threatened, or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	☐	☐	☑	☐
c. Locally designated species (e.g., heritage trees)?	☐	☐	☐	☑
d. Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	☐	☐	☐	☑

e. Wetland habitat (e.g., marsh, riparian and vernal pool)?	☐	☐	☑	☐
f. Wildlife dispersal or migration corridors?	☐	☐	☐	☑
g. Existing fish or wildlife habitat?	☐	☐	☑	☐
h. Introduction of new species of plants or animals into an area?	☐	☐	☐	

Comments:

As for water quality, any temporary impacts to existing wildlife resources from activities to be certified will be minimal in comparison to ongoing damage to these resources if invasions of exotic weedy vegetation are allowed to persist.

Because many of the targeted plants are hydrophytic, some of the areas where plant removal will occur will be Federal jurisdictional wetlands. The removal of targeted species will increase the functional capacity of these areas by allowing them to be re-colonized by native wetland flora. The requirement for two-years of follow-up invasive plant control will facilitate natural re-colonization. To minimize the impacts of invasive plant removal, the RGP 41 requires that native vegetation be flagged and avoided in partially infested stands and native riparian trees (if removed) be replaced at a 2:1 ratio in fully infested stands.

Targeted areas include emergent marsh and riparian wetlands which provide habitat for numerous aquatic organisms, including several federally-protected endangered species. Areas which are infested with invasive plants typically provide little or no aquatic habitat function. Over time, the phreatophytic nature and higher evapotranspirative rates per acre may cause a gradual drying of an area and conversion to more xeric (drought-tolerant) plant communities. In addition, salt crystals exuded from *Tamarix* leaves may increase salinity of pools, rendering them unsuitable for fish, amphibians, and other aquatic organisms.

Exotic vegetation generally provides less biodegradable leaf matter of lesser nutrient quality than native vegetation. Clearing activities in fully infested stands will have minimal impacts to aquatic organisms and habitat. The clearing activities in partially infested stands authorized by the RGP 41 will result in a temporal loss of habitat. Impacts to migratory birds associated with the proposed project will be reduced by confining activities in partially infested stands to the period between September 15 and March 15. In the long-term, replacement of invasive species with native flora will benefit aquatic organisms. Native riparian habitat will shade open water areas, reducing the temperature and increasing suitability for aquatic organisms. In addition, native vegetation will contribute more energy (through biodegradable matter) and less salts to aquatic areas, which will make them more suitable for aquatic invertebrates and vertebrates. Native riparian habitat will also increase habitat diversity at the water's edge. Finally, USEPA has determined that the effects of glyphosate-based herbicides on birds, mammals, fishes, and invertebrates are minimal.

Invasive plants replace native plant communities by out-competing native flora and by allopathy (i.e., they inhibit the growth of other plants by modifying the immediate environmental conditions). Areas which are infested with targeted plants typically provide poor wildlife habitat, including reduced opportunities to forage, and less-valuable travel corridors. Many native

animals are habitat specialists with a low tolerance to change due to infestation by non-native vegetation. Invasive plant infestation can be detrimental to native fauna by altering habitat to a point where it is no longer suitable for their use, or by providing cover for predators. Restoration of areas to native habitats will result in increased habitat function. When clearing activities occur, there will be some disturbance to wildlife from noise and presence of people and equipment. Disturbances will be minimized by the time restrictions and other limitations included in the RGP 41. All native riparian vegetation will be flagged and avoided in partially infested stands, and trees removed from fully infested stands will be replaced at a 2:1 ratio. When access roads are no longer being used, they will be restored.

Activities authorized under the RGP 41 will occur in areas infested with exotic, invasive plants which often provide little habitat function for government-listed endangered or threatened species. Replacement of invasive species with native flora will help with range expansion and recovery of some endangered species. Areas which contain a mixture of exotic and native plants may support endangered or threatened species. In addition, some of the areas which may be affected by the RGP 41 have been designated as critical habitat. Therefore, prospective permittees must investigate the potential impact of their proposed project on federally-listed endangered or threatened species, species proposed for listing as endangered, or designated critical habitat and provide this information to the Corps prior to use of the RGP 41. If the Corps determines that a proposed project may affect a federally-listed endangered or threatened species or designated critical habitat, a Section 7 consultation with the U.S. Fish and Wildlife Service or National Marine Fisheries Service will be initiated. The RGP 41 also contains a general condition which requires permittees to comply with all requirements of the Federal Endangered Species Act. Permittees will also be responsible for compliance with all appropriate State regulations, including the California Endangered Species Act.

The California Department of Pesticide Regulation's web site (http://www.cdpr.ca.gov/docs/label/labchem.htm) provides information on current herbicide products that have been registered and approved by USEPA for use in aquatic systems. Glyphosate (the primary constituent of the widely used commercial aquatic herbicide "Rodeo") (USEPA Document 738-F-93-011) is probably one of the most well known herbicides. USEPA has determined that glyphosate is non-toxic to fish and will have minimal environmental effects. Several studies have examined the toxicity of glyphosate to salmonids. For example, the 96-hour LC_{50} (concentration which causes death in 50 percent of the test animals) for Coho and Chinook salmon ranges from 600 to 1,440 ppm (Heydens, 1991). For rainbow trout, the 24-hour LC_{50} is 240 ppm and the 96-hour LC_{50} is 140 ppm (Folmar et al., 1979). For salmonid fingerlings, the 96-hour LC_{50} ranges from 24 to 140 ppm (Folmar et al., 1979) with no acute toxicity being reported during normal use. Full strength Rodeo contains 6,500 ppm of glyphosate. Sacher (1978) summarized the behavior of glyphosate in the aquatic environment and calculated a bioaccumulation factor of less than 0.18 for catfish, largemouth bass, and rainbow trout. Newton et al. (1984) report a glyphosate half-life in forest ecosystems from 10 to 26 days, with aquatic concentrations peaking at approximately half the LC_{50} following normal application. The biological effect of glyphosate on animals which use the systems being treated will be minimal.

Environmental Checklist

ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
5. **Noise.** Would the proposal result in:				
a. Increases in existing noise levels?	☐	☐	☑	☐
b. Exposure of people to severe noise levels?	☐	☐	☑	☐

Comments:

Clearing activities will result in temporary increases in noise levels. However, these increases will be minor, short-term, and typically buffered from adjacent properties by distance and the presence of floodplain vegetation. To reduce potential noise impacts on (the federally-listed) vireo and flycatcher populations, no work will occur during the breeding season (from March 15 to September 15) in partially infested stands which are being used by migratory birds.

Environmental Checklist

ISSUES	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	Less Than No Impact
6. **Land Use and Planning.** Would the proposal:				
a. Conflict with general plan designation or zoning?	☐	☐	☐	☑
b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	☐	☐	☐	☑
c. Be incompatible with existing land use in the vicinity?	☐	☐	☐	☑
d. Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	☐	☐	☐	☑
e. Disrupt or divide the physical arrangement of an established community (including a low				

income or minority community)?	☐	☐	☐	☑

Comment:

The proposed activities will not necessitate or involve a change in land use classification.

7. **Energy and Mineral Resources.** Would the proposal:

a. Conflict with adopted energy conservation plans?	☐	☐	☐	☑
b. Use non-renewable resources in a wasteful and inefficient manner?	☐	☐	☐	☑
c. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	☐	☐	☐	☑

Comment:

Activities anticipated under the RGP 41 are not expected to impact or have an effect on energy or mineral resources.

Environmental Checklist

ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
8. **Hazards.** Would the proposal involve:				
a. A risk of accidental explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation)?	☐	☐	☑	☐
b. Possible interference with an emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
c. The creation of any health hazard or potential health hazard?	☐	☐	☐	☑
d. Exposure of people to existing sources of potential health hazards?	☐	☐	☐	☑
e. Increased fire hazard in areas with flammable brush, grass, or trees?	☐	☐	☐	☑

Comments:

Rivers which flow through urban or residential areas are susceptible to infestation with invasive plants due to the frequency with which they are disturbed. Invasive plant infestation is associated with leaf litter, debris, biomass, and sediment accumulation. When rivers become infested with invasive plants, the risk of flood and fire affecting adjacent residential and commercial structures increases. Native floral communities accumulate less sediment and debris, are less dense, and are less flammable than invasive plant communities. Therefore, replacement of invasive species with native flora will decrease the risk of flood and fire. Workers and adjacent residents will be exposed to the herbicide, glyphosate. In 1988, the U.S. Department of Agriculture (USDA) Forest Service published an Environmental Impact Study containing a risk assessment of glyphosate use. Its analysis was based on toxicity data in the literature and expected exposure. The results of the USDA study are presented below:

Index	Value	MOS[1/] or Cancer Risk[2/]
systemic NOEL[3/]	31 mg/kg/day	1400 - workers 1200 - general public
reproductive NOEL	10/mg/kg/day	450 - workers 380 - general public
cancer potency value	3.5×10^{-4} per (mg/kg/day)	5.4×10^{-7} - 30 year career exposure 2.5×10^{-8} - casual exposure

1/ MOS = Margin of Safety. This measure is used to express non-cancer risks, such as reproductive, neurological, or systemic effects. The MOS is calculated by dividing the NOEL by the estimated dose. A MOS greater than 100 is considered to pose minimal risk.

2/ The cancer risk is calculated by multiplying the cancer potency value by the lifetime average daily dose. Cancer risks of less than 1 in a million (1×10^{-6}) are considered to pose negligible cancer risk.

3/ NOEL = No Observed Effect Level. This is a dose which has been observed to cause no ill effects in test animals over
long periods of time.

The data produced by the USDA indicates that glyphosate will pose a low risk to human health and safety (both workers and the general public). The most likely adverse health effects resulting from significant exposure to glyphosate are skin and eye irritation, although tests indicate that it is less irritating than standard dish washing detergent. For instance, the USDA's "glyphosate fact sheet" public information (http: //infoventures.com/e-hlth/pesticide/gyhpos.html [Information Ventures Inc., Copyright (c)] 1994-2003) indicates that there are no reported cases of long term health effects in humans due to glyphosate or its formulation. The most updated list of herbicide products, including glyphosate or its formulation that have been registered and approved by USEPA for use in aquatic systems, can be accessed at the California Department of Pesticide Regulation's web site at http://www.cdpr.ca.gov/docs/label/labchem.htm.

Clearing activities will result in a temporary increase in safety hazards associated with heavy equipment operation, prescribed burns, and herbicide use. Appropriate safety practices for heavy equipment operation will be employed. When herbicides are being applied, permittees

will be required to post warning signs notifying the public. These risks will be temporary and will result in minimal impacts to the public.

Environmental Checklist

ISSUES	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	Less Than No Impact
9. **Population and Housing.** Would the proposal:				
a. Cumulatively exceed official regional or local population projections?	☐	☐	☐	☑
b. Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	☐	☑
c. Displace existing housing, especially affordable housing?	☐	☐	☐	☑

Comments:

The work authorized by the RGP 41 will involve restoration of existing degraded aquatic systems. Therefore, it will not be expected to contribute to local or regional growth.

10. **Transportation/Circulation.** Would the proposal result in:				
a. Increased vehicle trips or traffic congestion?	☐	☐	☑	☐
b. Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
c. Inadequate emergency access or access to nearby uses?	☐	☐	☐	☑
d. Insufficient parking capacity on-site or off-site?	☐	☐	☐	☑
e. Hazards or barriers for pedestrians or bicyclists?	☐	☐	☐	☑
f. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑
g. Rail, waterborne, or air traffic impacts?	☐	☐	☐	☑

Comments:

Invasive plant clearing may result in temporary increases in truck traffic if biomass is hauled off the project site. These effects will be short-lived and minimal (less than significant). In addition, creation of access roads will introduce limited traffic into areas where there was previously none. The RGP 41 requirement to restore these roads when they are no longer necessary will ensure that the effects are both temporary and minimal (less than significant).

Environmental Checklist

ISSUES	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	Less Than No Impact
11. **Public Services.** Would the proposal have an effect upon, or resultin, a need for new or altered government services in any of the following areas:				
a. Fire protection?	☐	☐	☐	☑
b. Police protection?	☐	☐	☐	☑
c. Schools?	☐	☐	☐	☑
d. Maintenance of public facilities, including roads?	☐	☐	☐	☑
e. Other governmental services?	☐	☐	☐	☑

Comment:

No impact to these factors is anticipated.

12. **Utilities and Service Systems.** Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:				
a. Power or natural gas?	☐	☐	☐	☑
b. Communications systems?	☐	☐	☐	☑
c. Local or regional water treatment or distribution facilities?	☐	☐	☐	☑
d. Sewer or septic tanks?	☐	☐	☐	☑
e. Storm water drainage?	☐	☐	☐	☑
f. Solid waste disposal?	☐	☐	☐	☑
g. Local or regional water supplies?	☐	☐	☐	☑

Comments:

Activities performed under the RGP 41 should be beneficial to functions of those storm water management channels currently suffering from infestation of exotic vegetation.

Environmental Checklist

	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	Less Than No Impact
ISSUES				
13. **Aesthetics.** Would the proposal:				
a. Affect a scenic vista or scenic highway?	☐	☐	☐	☑
b. Have a demonstrable negative aesthetic effect?	☐	☐	☑	☐
c. Create light or glare?	☐	☐	☐	☑

Comments:

Establishment of native riparian and/or wetland vegetation will enhance the aesthetics of the area being treated. Native flora will attract birds and other native fauna, thereby improving aesthetics. Native riparian habitat will also decrease algal blooms in streams by reducing water temperature and nitrogen loading. During the clearing activities, there will be a temporary decrease in aesthetics associated with equipment operation. However, these impacts will be minimal and short-lived (less than significant).

14. **Recreation.** Would the proposal:				
a. Increase the demand for neighborhood or regional parks or other recreational facilities?	☐	☐	☐	☑
b. Affect existing recreational opportunities?	☐	☐	☑	☐

Comments:

The areas where the RGP 41 apply will generally be degraded and are not currently able to support fisheries habitat. Replacement of invasive species with native plant communities will create conditions conducive to establishment or re-establishment of fisheries by providing suitable forage, breeding, and cover habitat, decreasing water temperature, increasing baseflow discharges, and increasing water quality.

Activities allowed under the RGP 41 can also provide improved opportunities for bird watching, hiking, nature study, and other non-intrusive outdoor activities. These functions were typically

reduced by invasive plant infestations. Replacement of invasive plants with native plant communities will result in increased aesthetics and bird use and will lead to increased opportunities for recreation.

Environmental Checklist

ISSUES	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	Less Than No Impact
15. **Cultural Resources.** Would the proposal:				
a. Disturb paleontological resources?	☐	☐	☐	☑
b. Disturb archaeological resources?	☐	☐	☐	☑
c. Affect historical resources?	☐	☐	☐	☑
d. Have the potential to cause a physical change which would affect unique ethnic cultural values?	☐	☐	☐	☑
e. Restrict existing religious or sacred uses within the potential impact area?	☐	☐	☐	☑

Comments:

Activities authorized by this RGP 41 are expected to occur outside of established paleontological and archaeological areas. If a clearing activity is proposed in one of these areas, the Corps retains its discretion through the notification requirement to require an individual permit should the activity have the potential to cause greater than minimal impacts.

Activities authorized under this RGP 41 will generally occur in active stream channels or floodplains; therefore, the State Water Board believes that the proposed activities will not adversely affect historic properties listed, or eligible for listing, in Federal or State registries of historic places. However, the Corps recognized that such resources potentially occur on adjacent terraces which could be slated for vegetation removal. Therefore, the RGP 41 requires that prospective permittees investigate the potential impact of their proposed project on cultural resources and provide this information to the Corps prior to use of the RGP 41. The RGP 41 also contains a general condition which requires permittees to comply with all requirements of the National Historic Preservation Act.

Environmental Checklist

ISSUES	Potentially Significant Impact	Significant With Mitigation Incorporation	Less Than Significant Impact	Less Than No Impact
16. **Mandatory Findings of Significance.**				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☑	☐
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☐	☑
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☑	☐
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☑	☐

III. Determination

On the basis of this initial evaluation:

☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☑ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the certification conditions have been added to the project. **A NEGATIVE DECLARATION HAS BEEN PREPARED.**

☐ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

IV. References

1. Folmar, L.C., H.O. Sanders and A.M. Julin, 1979. Toxicity of the herbicide glyphosate and several of its formulations to fish and aquatic invertebrates. Arch of Environ. Toxicology and Contamination, 8:269-278.

2. Heydens, W.F., 1991. Rodeo herbicide use to control *Spartina*; Impact of glyphosate on Marine and Terrestrial Organisms. Monsanto Agricultural Company.

3. IPCC, 2007: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning (eds.)].

4. Newton, M., K.M. Howard, B.R. Kelpsas, R. Danhaus, C.M. Lottman and S. Dubelman, 1984. Fate of glyphosate in an Oregon Forest Ecosystem. J. of Agricul. and Food Chem, 32:144-1151.

5. Sacher, R.M., 1978. Safety of Roundup in the aquatic environment. Proc of the Int. Symp. Aquat. Weeds, 5:315-322.

6. U.S. Department of Agriculture, Forest Service, 1988. Final Environmental Impact Statement; Vegetation Management for Reforestation. V. 1-111.

7. U.S. Environmental Protection Agency, 1993. Re-registration Eligibility Decision (RED) for glyphosate. EPA 738-R-93-014.

8. U. S. Department of Agriculture URL Site at "http: //infoventures.com/e-hlth/pesticide/gyhpos.html", Information Ventures Inc., Copyright (c) 1994-2003.

FIGURE 1
U. S. Army Corps of Engineers District Offices